

AMENDED IN ASSEMBLY JUNE 28, 2006

AMENDED IN ASSEMBLY JUNE 14, 2006

AMENDED IN SENATE MAY 17, 2005

AMENDED IN SENATE APRIL 6, 2005

**SENATE BILL**

**No. 293**

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**Introduced by Senator Ducheny**

February 16, 2005

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An act to add Chapter 2 (commencing with Section 14005), to add Chapter 3 (commencing with Section 14010), to add Chapter 4 (commencing with Section 14200), and to add Chapter 5 (commencing with Section 14500) to Division 7 of, to repeal Division 8 (commencing with Section 15000) of, and to repeal and add Section 14000 of, the Unemployment Insurance Code, relating to job training.

LEGISLATIVE COUNSEL'S DIGEST

SB 293, as amended, Ducheny. Workforce Training Act: education, training, and investment.

The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law contains various programs for job training and employment investment, including work incentive programs, as specified.

This bill would restructure and revise those provisions relating to the state administration of, and educational services under, the federal Workforce Investment Act of 1998 by a California Workforce Investment Board.

This bill would restructure those provisions relating to state workforce investment boards and local workforce investment boards,

with respect to various local workforce investment programs. This bill would provide certain job security protections for state employees affected by the reorganization of workforce development programs, as specified.

Existing law requires various local job training plans to be prepared by local educational agencies and counties with respect to welfare-to-work programs, as specified.

This bill would authorize a unified local plan prepared by the local workforce investment board to be submitted instead of the individual local plans. This bill, by imposing duties on local government with respect to the implementation of these local programs, would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 14000 of the Unemployment Insurance
- 2 Code is repealed.
- 3 SEC. 2. Section 14000 is added to the Unemployment
- 4 Insurance Code, to read:
- 5 14000. (a) The Legislature finds and declares that, in order
- 6 for California to remain prosperous and globally competitive, it
- 7 needs to have a highly skilled workforce.
- 8 (b) The Legislature recognizes all of the following:
- 9 (1) California must transform its current job training, job
- 10 placement, and vocational education programs into an integrated,
- 11 accessible, and accountable workforce investment system that
- 12 can effectively serve job seekers, students, and employers.
- 13 (2) California's workforce investment system must provide
- 14 lifelong learning for all Californians, promote self-sufficiency,
- 15 link education and training to economic development, and
- 16 prepare California to successfully compete in the global
- 17 economy.

(3) The programs described in paragraphs (1) and (2) must be accessible to all Californians, including persons with economic, physical, or other barriers to employment.

SEC. 3. Chapter 2 (commencing with Section 14005) is added to Division 7 of the Unemployment Insurance Code, to read:

#### CHAPTER 2. DEFINITIONS AND SEVERABILITY

14005. For purposes of this division:

(a) "Board" shall mean the California Workforce Investment Board.

(b) "Agency" means the Labor and Workforce Development Agency.

(c) "Workforce Investment Act of 1998" means the federal act enacted as Public Law 105-220.

14006. The provisions of this division are severable. If any provision of this division or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

14007. Each provision of this division shall remain in effect unless the United States Secretary of Labor determines that any provision of this division or its application is not in conformity with the requirements of federal law, at which time only those provisions of this division that are not in conformity with federal law shall be repealed.

SEC. 4. Chapter 3 (commencing with Section 14010) is added to Division 7 of the Unemployment Insurance Code, to read:

#### CHAPTER 3. STATE RESPONSIBILITIES

##### Article 1. California Workforce Investment Board

14010. The California Workforce Investment Board is the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system.

1 14011. The board shall report, through its executive director,  
2 to the Secretary of the Labor and Workforce Development  
3 Agency.

4 14012. The board shall be appointed by the Governor to assist  
5 in the development of the State Workforce Investment Plan and  
6 to carry out other functions, as described in Section 14103. The  
7 board shall be comprised of the Governor and representatives  
8 from the following categories:

9 (a) Two members of each house of the Legislature, appointed  
10 by the appropriate presiding officer of each house.

11 (b) (1) A majority of board members shall be representatives  
12 of business who:

13 (A) Are owners of small and large businesses, chief executives  
14 or operating officers of small and large businesses, and other  
15 small and large business executives or employers with optimum  
16 policymaking or hiring authority, including members of local  
17 workforce investment boards.

18 (B) Represent businesses with employment opportunities that  
19 reflect the employment opportunities of the state.

20 (C) Are appointed from a group of individuals nominated by  
21 state business organizations and business trade associations.

22 (2) At least one representative shall be a private sector  
23 member of the California Economic Strategy Panel, created  
24 pursuant to Section 15570 of the Government Code.

25 (c) Chief elected officials representing both cities and  
26 counties, where appropriate.

27 (d) Representatives of labor organizations that are appointed to  
28 the board by the Governor shall have been nominated by state  
29 labor federations. At least 15 percent of board members shall be  
30 representatives of labor organizations.

31 (e) Representatives of individuals and organizations that have  
32 experience with regard to youth activities.

33 (f) Representatives of individuals and organizations that have  
34 experience and expertise in the delivery of workforce investment  
35 activities, including the Chancellor of the California Community  
36 Colleges, representatives of school districts, and representatives  
37 of community-based organizations within the state.

38 (g) The lead state agency officials with responsibility for the  
39 programs, services, or activities that are mandatory participants  
40 in the one-stop system, or, where there are no lead state agency

1 officials responsible for those programs, services, or activities, a  
2 representative with expertise relating to those programs, services,  
3 or activities.

4 (h) Any other representatives and state agency officials as the  
5 Governor may designate, such as the state agency officials  
6 responsible for economic development and juvenile justice  
7 programs in the state.

8 (i) Members of the board that represent organizations,  
9 agencies, or other entities shall be individuals with optimum  
10 policymaking authority within those organizations, agencies, or  
11 entities.

12 (j) In making appointments to the board, the Governor shall  
13 consider the ethnic, race, gender, and geographic distribution of  
14 the state's population, and members of the board shall represent  
15 diverse regions of the state, including urban, rural, and suburban  
16 areas.

17 (k) The Governor may appoint a single member to the board to  
18 represent multiple constituencies on the board.

19 (l) The Governor shall select a chairperson for the board from  
20 the business representatives.

21 14013. The board shall assist the Governor in the following:

22 (a) Promoting the development of a well-educated and highly  
23 skilled workforce.

24 (b) Developing the State Workforce Investment Plan.

25 (c) Developing guidelines for the continuous improvement and  
26 operation of the workforce investment system, including:

27 (1) Developing policies to guide the one-stop system.

28 (2) Providing technical assistance for the continuous  
29 improvement of the one-stop system.

30 (3) Recommending state investments in the one-stop system.

31 (d) Developing and continuously improving the statewide  
32 workforce investment system as delivered via the one-stop  
33 delivery system, including:

34 (1) Developing linkages in order to assure coordination and  
35 nonduplication among workforce programs and activities.

36 (2) Reviewing local workforce investment plans.

37 (e) Commenting, at least once annually, on the measures taken  
38 pursuant to the Carl D. Perkins Vocational and Applied  
39 Technology Education Act Amendments of 1990 (P.L. 101-392;  
40 20 U.S.C. Sec. 2301 and following).

1 (f) Designating and modifying, as necessary, local workforce  
2 investment area boundaries.

3 (g) Developing and modifying allocation formulas, as  
4 necessary, for the distribution of funds for adult employment and  
5 training activities and for youth activities to local workforce  
6 investment areas, as permitted by federal law.

7 (h) Coordinating the development and continuous  
8 improvement of comprehensive state performance measures,  
9 including state adjusted levels of performance, to assess the  
10 effectiveness of the workforce investment activities in the state.

11 (i) Preparing the annual report to the United States Secretary  
12 of Labor.

13 (j) Recommending policy for the development of the statewide  
14 employment statistics system, including workforce and economic  
15 data, as described in Section 15 of Title 29 of the United States  
16 Code, and using, to the fullest extent possible, the Employment  
17 Development Department's existing labor market information  
18 systems.

19 (k) Recommending strategies to the Governor for strategic  
20 training investments of the Governor's 15-percent discretionary  
21 funds.

22 (l) Developing and recommending waivers, in conjunction  
23 with local workforce investment boards, to the Governor as  
24 provided for in the Workforce Investment Act of 1998.

25 (m) Recommending policy to the Governor for the use of the  
26 25- percent rapid response funds, as authorized under the  
27 Workforce Investment Act of 1998.

28 (n) Developing an application to the United States Department  
29 of Labor for an incentive grant under Section 9273 of Title 20 of  
30 the United States Code.

31 14015. Members of the board may receive up to one hundred  
32 dollars (\$100) for each day's actual attendance at meetings and  
33 other official business of the board, not to exceed three hundred  
34 dollars (\$300) per month, and shall receive their necessary and  
35 actual expenses incurred in the performance of their official  
36 duties.

Article 2. State Planning

14020. The California Workforce Investment Board, in collaboration with state and local partners, including the Chancellor of the California Community Colleges, the State Department of Education, other appropriate state agencies, and local workforce investment boards, shall develop a strategic workforce plan to serve as a framework for the development of public policy, fiscal investment, and operation of all state labor exchange, workforce education, and training programs. The strategic workforce plan shall also serve as the framework for the single state plan required by the Workforce Investment Act of 1998. The plan shall be updated at least every five years.

SEC. 5. Chapter 4 (commencing with Section 14200) is added to Division 7 of the Unemployment Insurance Code, to read:

CHAPTER 4. LOCAL SERVICE DELIVERY

Article 1. Local Workforce Investment Board

14200. (a) The local chief elected officials in a local workforce development area shall form, pursuant to guidelines established by the Governor and the board, a local workforce investment board to plan and oversee the workforce investment system.

(b) The Governor shall certify one local board for each local area in the state once every two years, following the requirements of the Workforce Investment Act of 1998.

14201. Local workforce investment boards shall be established in each local workforce investment area of the state to assist the local chief elected official in planning, oversight, and evaluation of local workforce investment. The local board shall promote effective outcomes consistent with statewide goals, objectives, and negotiated local performance standards.

14202. Membership of the local board shall be appointed by the local chief elected official using criteria established by the Governor and the board, and shall include:

(a) Representatives of business in the local area appointed from among individuals nominated by local business

1 organizations and *business* trade associations and that reflect  
2 employment opportunities of the local area. Business  
3 representatives shall be owners of businesses, chief executives,  
4 or operating officers of businesses or other business executives,  
5 including human resources executives, or employers with  
6 optimum policymaking or hiring authority.

7 (b) Representatives of local educational entities, including  
8 representatives of local educational agencies, local school boards,  
9 entities providing adult education and literacy activities, public  
10 and private postsecondary educational institutions, including  
11 representatives of community colleges, selected from among  
12 individuals nominated by regional or local educational agencies,  
13 institutions, or organizations representing local educational  
14 entities, ~~and statewide trade organizations.~~

15 (c) Representative of labor organizations nominated by local  
16 labor federations, including a representative of an apprenticeship  
17 program. At least 15 percent of local board members shall be  
18 representatives of labor organizations.

19 (d) Representatives of local community-based organizations,  
20 including organizations representing individuals with disabilities  
21 and veterans, and organizations that serve populations with  
22 barriers to employment, such as the economically disadvantaged,  
23 youth, farmworkers, homeless, and immigrants.

24 (e) Representatives of economic development agencies,  
25 including private sector economic development entities.

26 (f) Representatives of each of the one-stop partners.

27 (g) Members of the local board that represent organizations,  
28 agencies, or other entities shall be individuals with optimum  
29 policymaking authority within those organizations, agencies, or  
30 entities.

31 14203. Membership of local boards may include other  
32 individuals or representatives of entities as the local elected  
33 official in the local area may determine to be appropriate. A  
34 single member of the local board may be appointed to represent  
35 multiple constituencies on the local board.

36 14204. A majority of the members of the local board shall be  
37 representatives of businesses in the local area.

38 14205. The local board shall elect a chairperson for the local  
39 board from among the business representatives.



1 14206. It shall be the duty of the local board to do all of the  
2 following:

3 (a) Coordinate workforce investment activities in the local  
4 area with economic development strategies.

5 (b) Promote participation of private sector employers in the  
6 local workforce investment system.

7 (c) Develop and submit a local workforce investment plan to  
8 the Governor.

9 (d) Select one-stop operators, with the agreement of the local  
10 chief elected official, annually review their operations, and  
11 terminate for cause the eligibility of such operators.

12 (e) Award grants or contracts to eligible providers of youth  
13 activities in the local area on a competitive basis, consistent with  
14 the Workforce Investment Act of 1998, based upon the  
15 recommendations of the youth council.

16 (f) Identify, consistent with the Workforce Investment Act of  
17 1998, eligible providers of training services.

18 (g) Identify eligible providers of intensive services and, when  
19 the one-stop operator does not provide intensive services to the  
20 local area, award contracts to those providers.

21 (h) Develop local policy on the amount and duration of  
22 individual training accounts based upon the market rate for local  
23 training programs.

24 (i) Conduct program oversight over workforce investment  
25 ~~funds~~ activities in the local area.

26 (j) Negotiate with the local chief elected official in the local  
27 area and the Governor on local performance measures for the  
28 local area.

29 (k) Assist in the development of a statewide employment  
30 statistics system, which shall be developed in conjunction with  
31 and shall utilize to the fullest extent possible, the Employment  
32 Development Department's labor market information system.

33 14207. The local board, in order to carry out its functions:

34 (a) Shall prepare a budget for itself, subject to the approval of  
35 the local chief elected official.

36 (b) May employ staff and solicit and accept contributions and  
37 grant funds from other sources.

38 (c) Shall not provide training services unless the Governor  
39 grants a written waiver of this provision.

(d) Shall not provide other workforce investment services or be designated as a one-stop operator without the agreement of the local chief elected official and the Governor.

14208. A youth council shall be established as a subgroup within each local board, appointed by the local board in cooperation with the local chief elected official. Youth council membership shall conform with the requirements of the Workforce Investment Act of 1998.

14209. It is the intent of the Legislature that when appointing members to the youth council, the local workforce investment board and the local chief elected official appoint:

(a) Representatives of youth who are enrolled in school, and out of school youth.

(b) Representatives from the private sector.

(c) Representatives of local educational agencies serving youth.

(d) Representatives of private nonprofit agencies serving youth.

(e) Representatives of apprenticeship training programs serving youth.

14210. The youth council shall do all of the following:

(a) Develop the portions of the local plan relating to youth.

(b) Make recommendations of eligible providers of youth activities for the award of grants or contracts on a competitive basis by the local board to carry out youth activities.

(c) Leverage other youth program funds in the local area for the purpose of improving the effectiveness of local youth programs through collaborative planning, funding, and service delivery.

(d) Conduct oversight of eligible youth activities in the local area.

(e) Make recommendations to the local board for connecting youth program activities, including those provided by local educational entities to the one-stop delivery system.

(f) Make recommendations to the local board for including training in nontraditional occupations for women and girls and preapprenticeship training in youth program activities.

Article 2. Local Workforce Investment Plan

14220. Each local board shall develop and submit to the Governor a comprehensive five-year local plan in partnership with the appropriate chief elected official. The plan shall be consistent with the state workforce investment plan.

14221. The local plan shall include all of the following:

(a) A local labor market assessment which contains an identification of local and regional workforce investment needs of businesses, jobseekers, and workers in the local area, the current and projected employment opportunities and the job skills necessary to obtain that employment.

(b) A description of the local one-stop delivery system, including all of the following:

(1) A description of how the local board will achieve system integration that will improve services to local employers and jobseekers, and a description of local funding sources.

(2) A copy of each memorandum of understanding between the local board and each of the one-stop partners concerning the operation of the one-stop delivery system in the local area.

(c) A description of the local levels of performance negotiated with the Governor and chief elected official to be used to measure the performance of the local area and the performance of the local fiscal agent, eligible providers, and the one-stop delivery system in the local area. Performance standards shall not create disincentives for serving clients for whom it is more difficult to provide service.

(d) A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area.

(e) A description of how the local board will coordinate workforce investment activities carried out in the local area with statewide rapid response activities, as appropriate.

(f) A description and assessment of the type and availability of youth activities in the local area, including an identification of successful providers of those activities.

(g) A description of the process used by the local board, consistent with Section 14223, to provide an opportunity for public comment, including comment by representatives of businesses, labor organizations, and community-based

1 organizations, and input into the development of the local plan,  
2 prior to submission of the plan.

3 (h) An identification of the entity, as prescribed in the  
4 Workforce Investment Act of 1998, responsible for the disbursal  
5 of funds under the Workforce Investment Act of 1998.

6 (i) A description of the competitive process to be used to  
7 award the grants and contracts in the local area for activities  
8 carried out under the Workforce Investment Act of 1998.

9 14222. The local board may submit a local unified plan that  
10 includes or integrates the local workforce investment and other  
11 local workforce plans such as:

12 (a) An instructional and job training plan required by Section  
13 10200 of the Education Code.

14 (b) A plan for community college curriculum development or  
15 redesign required pursuant to Section 79202 of the Education  
16 Code.

17 (c) A county plan for CalWORKs required by Section 10531  
18 of the Welfare and Institutions Code.

19 (d) A local welfare-to-work plan required by Section 5063, to  
20 the extent permitted under federal law.

21 14223. The local board shall make available copies of a  
22 proposed local plan, allow members of the local board and  
23 members of the public to submit comments on the proposed local  
24 plan to the local board not later than the end of the 30-day period  
25 beginning on the date on which the proposed local plan is made  
26 available and submit the plan to the Governor along with any  
27 comments that were in disagreement with the plan.

### 28 29 Article 3. One-Stop Career Center System 30

31 14230. (a) It is the intent of the Legislature that:

32 (1) California deliver comprehensive workforce services to  
33 jobseekers, students, and employers through a system of one-stop  
34 career centers.

35 (2) Universal access to core services shall be available to adult  
36 residents regardless of income, education, employment barriers,  
37 or other eligibility requirements. Core services shall include, but  
38 not be limited to:

39 (A) Outreach, intake, and orientation to services available  
40 through the one-stop delivery system.

1 (B) Initial assessment of skill levels, aptitudes, abilities, and  
2 supportive service needs.

3 (C) Job search and placement assistance.

4 (D) Career counseling, where appropriate.

5 (E) Provision of labor market information.

6 (F) Provision of program performance and cost information on  
7 eligible providers of training services and local area performance  
8 measures.

9 (G) Provision of information on supportive services in the  
10 local area.

11 (H) Provision of information on the filing of claims for  
12 unemployment compensation benefits and unemployment  
13 compensation disability benefits.

14 (I) Assistance in establishing eligibility for welfare-to-work  
15 activities pursuant to Section 11325.8 of the Welfare and  
16 Institutions Code, and financial aid assistance.

17 (3) State and federally funded workforce education, training,  
18 and employment programs shall be integrated in the one-stop  
19 delivery system to achieve universal access to the core services  
20 described in paragraph (2).

21 (4) Intensive services shall be available to individuals who  
22 have completed at least one core service, have been unable to  
23 obtain employment, and who have been determined, by the  
24 one-stop operator, as being in need of more intensive services, or  
25 who are employed but in need of intensive services to obtain or  
26 retain employment to achieve self-sufficiency. Intensive services  
27 may include comprehensive and specialized assessments of skill  
28 levels and service needs, including learning disability screening,  
29 the development of individual employment plans, counseling,  
30 career planning, and short-term-~~pre-vocational~~ *prevocational*  
31 services to prepare an individual for training and employment.

32 (5) Training services shall be ~~provided~~ *made available* to  
33 individuals who have met the requirements for intensive services,  
34 have been unable to obtain or retain employment through these  
35 services, and who, after an interview, evaluation, or assessment,  
36 are determined to be in need of training, and have selected a  
37 program of services directly linked to occupations in demand in  
38 the local or regional area. Training services may include:

39 (A) Occupational skill training including training for  
40 nontraditional employment.

1 (B) On-the-job training.

2 (C) Programs that combine workplace training with related  
3 instruction.

4 (D) Training programs operated by the private sector.

5 (E) Skill upgrading and retraining.

6 (F) Entrepreneurial training.

7 (G) Job readiness training.

8 (H) Adult education and literacy activities, including  
9 vocational English as a second language, provided in  
10 combination with subparagraphs (A) through (G), inclusive.

11 (I) Customized training conducted with a commitment by an  
12 employer or group of employers to employ an individual upon  
13 completion of the training.

14 (6) (A) As prescribed in the Workforce Investment Act of  
15 1998, when funds are limited, priority for intensive services and  
16 training services shall be given to adult recipients of public  
17 assistance and other low-income adults, such as CalWORKs  
18 participants.

19 (b) Each local workforce investment board shall establish at  
20 least one full service one-stop career center in the local  
21 workforce investment area. Each full service one-stop career  
22 center shall have all entities specified in Section 14231 as  
23 partners and shall provide jobseekers with integrated  
24 employment, education, training, and job search services.  
25 Additionally, employers will be provided with access to  
26 comprehensive career and labor market information, job  
27 placement, economic development information, performance and  
28 program information on service providers, and other such  
29 services as the businesses in the community may require.

30 (c) Local boards may also establish affiliated and specialized  
31 centers, as defined in the Workforce Investment Act of 1998,  
32 which shall act as portals into the larger local one-stop system,  
33 but are not required to have all of the partners specified for full  
34 service one-stop centers.

35 (d) Each local board shall develop a policy for identifying  
36 individuals who, because of their skills or experience, should be  
37 referred immediately to training services. This policy, along with  
38 the methods for referral of individuals between the one-stop  
39 operators and the one-stop partners for appropriate services and

1 activities, shall be contained in the memorandum of  
2 understanding between the local board and the one-stop partners.

3 (e) In light of California's diverse population, each one-stop  
4 career center should have the capacity to provide the appropriate  
5 services to the full range of languages and cultures represented in  
6 the community served by the one-stop career center.

7 14231. (a) The local providers of the following programs or  
8 activities shall be required partners in the local one-stop system:

9 (1) Programs authorized under Title I of the Workforce  
10 Investment Act of 1998.

11 (2) Programs authorized under the Wagner-Peyser Act (29  
12 U.S.C. Sec. 49 et seq.).

13 (3) Adult education and literacy activities authorized under  
14 Title II of the Workforce Investment Act of 1998.

15 (4) Programs authorized under Title I of the Rehabilitation Act  
16 of 1973 (29 U.S.C. Sec. 720 et seq.).

17 (5) Programs authorized under Section 403(a)(5) of the Social  
18 Security Act (42 U.S.C. Sec. 603(a)(5) as added by Section 5001  
19 of the Balanced Budget Act of 1997).

20 (6) Activities authorized under Title V of the Older Americans  
21 Act of 1965 (42 U.S.C. Sec. 3056 et seq.).

22 (7) Postsecondary vocational education activities authorized  
23 under the Carl D. Perkins Vocational and Applied Technology  
24 Education Act (20 U.S.C. Sec. 2301 et seq.), including  
25 community colleges and regional occupational centers and  
26 programs.

27 (8) Activities authorized under Chapter 2 of Title II of the  
28 Trade Act of 1974 (19 U.S.C. Sec. 2271 et seq.).

29 (9) Activities authorized under Chapter 41 (commencing with  
30 Section 4100) of Title 38 of the United States Code.

31 (10) Employment and training activities carried out under the  
32 Community Services Block Grant Act (42 U.S.C. Sec. 9901 et  
33 seq.).

34 (11) Employment and training activities carried out by the  
35 Department of Housing and Urban Development.

36 (12) Programs authorized by this code, in accordance with  
37 applicable federal law.

38 (13) Small business development centers, as defined in  
39 Section 15382 of the Government Code, where they exist.

1 (b) Community-based organizations that provide intensive  
2 services as described in paragraph (4) of subdivision (a) of  
3 Section 14230, shall be encouraged to be one-stop partners.

4 14232. The local board, with the agreement of the chief  
5 elected official for the local area, shall develop and enter into a  
6 memorandum of understanding with the local one-stop partners,  
7 designate or certify one-stop operators, and conduct oversight  
8 over the local one-stop delivery system.

9 14233. One-stop career center operators shall recognize and  
10 comply with applicable labor agreements affecting employees of  
11 one-stop career centers, including the right to access by labor  
12 representatives pursuant to the Ralph C. Dills Act (Chapter 10.3  
13 (commencing with Section 3512) of Division 4 of Title 1 of the  
14 Government Code).

15 14234. In order to avoid a conflict of interest, operators of  
16 one-stop career centers that issue vouchers shall not be the  
17 recipient of vouchers issued by their center without the approval  
18 of the chief local elected official and the state board in instances  
19 when there are no other potential one-stop partners in the local  
20 area.

21 14235. To the full extent permitted by federal law, the  
22 Employment Development Department shall utilize its  
23 Wagner-Peyser funded activities and programs to support local  
24 one-stop career centers.

25 14236. It is the intent of the Legislature that the redirection of  
26 state and federal funds to support one-stop career centers should  
27 not result in the loss of employment for state employees,  
28 including, but not limited to, the loss of employment by  
29 displacement or privatization of state functions. State employees  
30 performing services at one-stop career centers shall retain  
31 existing civil service and collective bargaining protections on  
32 matters relating to employment, including, but not limited to,  
33 hiring, firing, promotion, discipline, and grievance procedures.  
34 State employees who are located at one-stop career centers shall  
35 remain under the supervision of their employing department for  
36 the purposes of performance evaluation, and other matters related  
37 to civil service rights and responsibilities. If work-related issues  
38 arise at one-stop centers between state employees and operators,  
39 supervisors, or other partners, the operator or supervisor, as  
40 applicable, shall defer all actions to the civil service supervisor.



1 SEC. 6. Chapter 5 (commencing with Section 14500) is  
2 added to Division 7 of the Unemployment Insurance Code, to  
3 read:

4  
5 CHAPTER 5. EDUCATIONAL SERVICES  
6

7 14500. Notwithstanding any other provision of law, when a  
8 person using his or her Workforce Investment Act individual  
9 training account enrolls in an adult education program, a  
10 noncredit curricula program at a community college, or a  
11 regional occupational center or program, for which state funds  
12 are allocated, all of the following shall apply:

13 (a) The entities administering the program may use Workforce  
14 Investment Act individual training account funds only to increase  
15 the number of hours of services provided above their adult block  
16 entitlement pursuant to Section 52616 of the Education Code and  
17 funding limit for regional occupational center programs for the  
18 purpose of enhancing services already supported with state funds.  
19 Any state funds provided to these entities above their adult block  
20 entitlements and funding limit for regional occupational center  
21 programs shall be subject to an appropriation in the annual  
22 Budget Act.

23 (b) Any state funds allocated to the entity administering the  
24 program shall not be offset with the Workforce Investment Act  
25 individual training account funds.

26 (c) The entity administering the program shall use the  
27 Workforce Investment Act individual training account funds  
28 received for the program.

29 14510. To the extent permitted by federal law, school districts  
30 and county offices of education are eligible to apply to local  
31 youth councils to provide basic skills training and skills  
32 necessary for attaining a secondary school diploma.

33 14530. To the extent permissible under federal law, the  
34 Governor may set aside a portion of the youth funding  
35 specifically for programs to improve the academic skills of  
36 low-achieving youth, including those at risk of not passing the  
37 high school exit examination required by Section 60850 of the  
38 Education Code, and for dropout prevention activities.

39 SEC. 7. Division 8 (commencing with Section 15000) of the  
40 Unemployment Insurance Code is repealed.

1 SEC. 8. No reimbursement is required by this act pursuant to  
2 Section 6 of Article XIII B of the California Constitution because  
3 this act implements a federal law or regulation and results only in  
4 costs mandated by the federal government, within the meaning of  
5 Section 17556 of the Government Code.

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